

NOV 17 2006

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8 I hereby certify that this correspondence, totaling five (5) pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-8300 on the below data: Date: <u>November 17, 2006</u> Name: <u>Barbara A. LaBarca</u> Signature: <u>[Signature]</u>	
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**BRINKS
HOFER
GILSON
& LIONE**
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Scott M. Henneberry et al.

Serial No.: 10/647,560

Filed: August 25, 2003

For: **MULTI-FUNCTION INTELLIGENT ELECTRONIC
DEVICE WITH SECURE ACCESS**

Examiner: Unknown

Art Unit: 2131

Confirmation No.: 3229

MAIL STOP PETITION
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

TRANSMITTAL
Attached is/are:

- ☒ Petition to Revive Application (2 pgs.); Copy of Rescission of Previous Nonpublication Request (1 pg.) and Transmittal (in duplicate).
- ☐ Return Receipt Postcard.

Fee calculation:

- ☐ No additional fee is required.
- ☒ A petition or processing fee in an amount of \$1,500.00 under 37 C.F.R. § 1.17(m).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim						+\$180=		+\$360=	
					Total	\$		Total	\$

Fee payment:

- ☒ Please charge Deposit Account No. 23-1925 in the amount of \$1,500.00. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed for this purpose.

Nov 17, 2006
 Date

Respectfully submitted,

[Signature]
 Sanders N. Hillis (Reg. No. 45,712)

**BRINKS
HOFER
GILSON**
BRINKS HOFER GILSON & LIONE
 CUSTOMER NO. 46261

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Date: November 17, 2006

Name: Barbara A. LaBarge

Signature: 

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& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Scott M. Henneberry et al.

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Total		Minus			x \$25=			x \$50=	
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First Presentation of Multiple Dep. Claim						+\$180=		+\$360=	
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Respectfully submitted,

Date

Nov 17, 2006

Sanders N. Hillis (Reg. No. 45,712)

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CUSTOMER NO. 46261

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CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence, totaling five (5) pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-8300 (Central number) on the below date:

Date: November 17, 2006 Name: Barbara A. LaBarge

Signature: 

Case No. 6270/098 (PMO3-1373)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Scott M. Henneberry et al.

Serial No.: 10/647,560

Filed: August 25, 2003

For: MULTI-FUNCTION INTELLIGENT
ELECTRONIC DEVICE WITH SECURE ACCESS

Examiner: Unknown

Art Unit: 2131

Confirmation No.: 3229

PETITION TO REVIVE APPLICATION

MAIL STOP PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request to rescind a Non Publication Request filed on August 23, 2003, in the above-referenced application, and have submitted herewith a copy of a concurrently filed Recission Of Previous Nonpublication Request. In addition, Applicants hereby Petition to Revive the above-referenced application pursuant to 37 C.F.R. §1.137(b) since pursuant to 35 U.S.C. §122(b)(2)(B)(iii) Applicants believe that the above-referenced application may have become abandoned for failing to timely notify the U.S. Patent and Trademark Office of the subsequent filing of another application in a foreign country or under a multinational treaty that required publication of that application eighteen months after filing. The filing date of the subsequently filed foreign or international applications was during the year of 2004.

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U.S. Serial No. 10/647,560

6270/098 (PMO3-1373)

The above-referenced application takes priority from four U.S. Provisional Patent Applications. Although the above-referenced patent application was not itself filed in a foreign country or under a multinational treaty that required publication of the application eighteen months after filing, patent applications were foreign filed that took priority from one of the U.S. Provisional Applications from which the above-reference application also took priority. The correlation of the priority claims referencing the same provisional patent application was just discovered. It is our understanding that the U.S. Patent Office considers the entirety of the disclosure of a patent application when applying the requirements of 35 U.S.C. § 122(b)(2)(B). Accordingly, inclusion of some portion of the disclosure of the above-referenced application in one or more of the applications that were filed in a foreign country or under a multinational treaty cannot be ruled out. Thus, in an abundance of caution, this request for recission and petition to revive is being filed.

Pursuant to 37 C.F.R. § 1.137(b), Applicant states that the entire delay in filing the required notice of foreign filing from the due date for the required notice until the filing of this grantable petition under 37 C.F.R. § 1.137(b) was unintentional. The \$1500.00 fee for this petition required by 37 C.F.R. § 1.17(m) is to be charged to Deposit Account No. 23-1925, as stated on the accompanying transmittal sheet. Should any additional fee be deemed necessary, please charge such fee or credit any overpayment to Deposit Account No. 23-1925.

Respectfully submitted,

Dated: November 17, 2006
Sanders N. Hillis

Registration No. 45,712

Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE
CUSTOMER NO. 46261
(317) 636-0886

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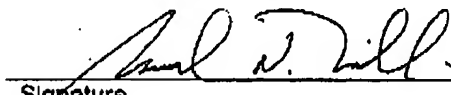
COPY

RESCISSION OF PREVIOUS NONPUBLICATION REQUEST 35 U.S.C. 122(b)(2)(B)(II) AND, IF APPLICABLE, NOTICE OF FOREIGN FILING (35 U.S.C. 122(b)(2)(B)(III)) Send completed form to: Mail Stop PG Pub Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX: (703) 305-8568		Application Number		10/647,560
		Filing Date		08/25/2003
		First Named Inventor		Scott M. Henneberry
		Title	Multi-Function Intelligent Electronic Device with Secure Access	
		Atty Docket Number		6270/98 (PMO3-1373)
		Group Art Unit		2131
		Examiner	Unknown	

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby rescind the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice.

If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).


NOV 17, 2006

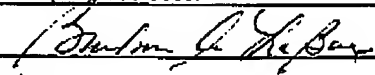
 Signature Date
 Sanders N. Hillis 45,712

 Typed or Printed Name Registration Number, if applicable
 317-636-0886

 Telephone Number

This request must be signed in compliance with 37 CFR 1.33(b).

If information or assistance is needed in completing this form, please contact the Pre-Grant Publication Division at (703) 605-4283 or by e-mail at PGPub@USPTO.gov.

CERTIFICATE OF MAILING OR TRANSMISSION		
I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the U.S. Patent and Trademark Office at (703) 305-8568.		
Signature 		
Name: Barbara A. LaBarge	Date	November 17, 2006

SEND TO: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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